

House File 597

H-1211

- 1 Amend House File 597 as follows:
2 1. Page 1, before line 1 by inserting:
3 <DIVISION _____
4 MOTOR FUEL MARKETING>
5 2. Page 1, after line 4 by inserting:
6 <NEW SUBSECTION. 12A. "Marketer" means a dealer,
7 distributor, nonrefiner biofuel manufacturer, or
8 supplier.
9 NEW SUBSECTION. 16A. "Nonrefiner biofuel
10 manufacturer" means the same as defined in section
11 452A.2.
12 NEW SUBSECTION. 18A. "Pipeline company" means the
13 same as defined in section 479B.2.>
14 3. Page 1, after line 6 by inserting:
15 <NEW SUBSECTION. 23B. "Terminal" means the same as
16 defined in section 452A.2.
17 NEW SUBSECTION. 23C. "Terminal operator" means the
18 same as defined in section 452A.2.
19 NEW SUBSECTION. 23D. "Terminal owner" means a
20 person who holds a legal or equitable interest in a
21 terminal.>
22 4. Page 1, by striking line 9 and inserting:
23 <A retail dealer or other marketer, pipeline
24 company, terminal owner, terminal operator, motor
25 vehicle manufacturer, or engine manufacturer is not
26 liable for>
27 5. Page 1, by striking lines 26 through 29 and
28 inserting <blended gasoline or diesel fuel on any
29 premises in this state.>
30 6. Page 1, line 35, after <transport> by inserting
31 <to a distributor or dealer>
32 7. Page 2, by striking line 1 and inserting <or
33 unblended diesel fuel, that is at the terminal, based
34 on>
35 8. Page 2, by striking lines 4 through 7.
36 9. Page 2, line 8, by striking <4.> and inserting
37 <3.>
38 10. Page 2, line 19, by striking <5.> and inserting
39 <4.>
40 11. Page 2, by striking lines 23 through 35 and
41 inserting:
42 <DIVISION _____
43 STORAGE TANKS
44 Sec. _____. Section 101.21, subsection 1, paragraphs
45 a through c, Code 2013, are amended to read as follows:
46 a. ~~Aboveground tanks of~~ An aboveground tank which
47 complies with any of the following:
48 (1) Has one thousand one hundred gallons or less
49 capacity.
50 (2) Stores flammable liquids on a farm located

1 outside the limits of a city, if the aboveground tank
2 has two thousand gallons or less capacity.

3 (3) Stores combustible liquids on a farm located
4 outside the limits of a city, if the aboveground tank
5 has five thousand gallons or less capacity.

6 ~~b. Tanks~~ A tank used for storing heating oil for
7 consumptive use on the premises where stored.

8 ~~c. Underground~~ An underground storage tanks tank as
9 defined by section 455B.471.

10 Sec. _____. Section 101.21, Code 2013, is amended by
11 adding the following new subsection:

12 NEW SUBSECTION. 1A. a. "Farm" means land and
13 associated improvements used to produce agricultural
14 commodities, if at least one thousand dollars is
15 annually generated from the sale of the agricultural
16 commodities.

17 b. As used in paragraph "a", "commodities" means
18 crops as defined in section 202.1 or animals as defined
19 in section 459.102.

20 Sec. _____. Section 101.22, subsections 4 through 8,
21 Code 2013, are amended to read as follows:

22 4. The registration notice of the owner or operator
23 to the state fire marshal under subsections 1 through
24 3 shall be accompanied by an annual fee of ~~ten~~ twenty
25 dollars for each tank included in the notice. All
26 moneys collected shall be retained by the department of
27 public safety and are appropriated for the use of the
28 state fire marshal. The annual renewal fee applies to
29 all owners or operators who file a registration notice
30 with the state fire marshal pursuant to subsections 1
31 through 3.

32 ~~5. A person who deposits flammable or combustible~~
33 ~~liquid in an aboveground flammable or combustible~~
34 ~~liquid storage tank shall notify the owner or operator~~
35 ~~in writing of the notification requirements of this~~
36 ~~section.~~

37 ~~6.~~ A person who sells or constructs a tank intended
38 to be used as an aboveground storage tank shall
39 notify the purchaser of the tank in writing of the
40 notification requirements of this section applicable
41 to the purchaser.

42 ~~7. 6. It is unlawful to deposit flammable or~~
43 ~~combustible liquid in~~ An owner or operator shall
44 register an aboveground flammable or combustible liquid
45 storage tank which has not been registered pursuant to
46 subsections 1 through 4.

47 ~~8. 7.~~ The state fire marshal shall furnish the
48 owner or operator of an aboveground flammable or
49 combustible liquid storage tank with a registration tag
50 for each aboveground flammable or combustible liquid

1 storage tank registered with the state fire marshal.
2 ~~a.~~ The owner or operator shall affix the tag to the
3 fill pipe of each registered aboveground flammable or
4 combustible liquid storage tank.

5 ~~b.~~ A person who conveys or deposits flammable
6 or combustible liquid shall inspect the aboveground
7 flammable or combustible liquid storage tank to
8 determine the existence or absence of the registration
9 tag. If a registration tag is not affixed to the
10 aboveground flammable or combustible liquid storage
11 tank fill pipe, the person conveying or depositing
12 the flammable or combustible liquid may deposit the
13 flammable or combustible liquid in the unregistered
14 tank. However, only one deposit is allowed into
15 the unregistered tank, the person making the deposit
16 shall provide the owner or operator of the tank with
17 another notice as required by subsection 5, and the
18 person shall provide the owner or operator with an
19 aboveground flammable or combustible liquid storage
20 tank registration form.

21 ~~c.~~ It is the owner or operator's duty to comply
22 with registration requirements.

23 8. A late registration penalty of twenty-five
24 dollars is imposed in addition to the registration fee
25 for a tank registered after the required date.>

26 12. Title page, by striking lines 1 and 2 and
27 inserting <An Act relating to liquids which are
28 flammable or combustible, by providing for the
29 storage, marketing, and distribution of such liquids,
30 providing for the marketing and distribution of
31 liquids classified as motor fuel, including blended and
32 unblended gasoline and diesel fuel,>

33 13. By renumbering, redesignating, and correcting
34 internal references as necessary.

KLEIN of Washington